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# THE CENTRAL ORGANIZATION FOR A DURABLE PEACE

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Whether silence or speech should obtain at the present time, whether during war all constructive action for the future welfare should cease, is a question long since answered. It is a notable fact that during the horrors of the Thirty Years' War, Grotius wrote his treatise on the *Rights of War and Peace*, which was the first systematic statement of the principles of the law which should regulate the conduct of nations in their mutual intercourse. This work, as pointed out by the *American Journal of International Law*, "convinced statesmen, bound nations, and molded the thought of future generations, substituting as it did a rule of conduct based upon right reason for mere force." Today, as we witness the intolerable consequences of violated standards, we stake our only hope on the prospect of a new departure in the development of law and in the subjection of the nations to its rule. Indeed, the world may need another Grotius.

Of one thing, however, we are certain—that the fundamental basis of the new world order which must come after the present war must be laid today. When the representatives of the states come together in the midst of the wreck and desolation left by the war, their task will be almost overwhelming, for they will be charged with nothing less than a general reorganization of international procedure. This will be accomplished by utilizing the existing elements of order and by combining them with others which fit the changed conditions. What the new elements will be will depend on generally accepted opinions, for as the nations have appealed to public opinion in all parts of the world to justify their actions in the war, so they will lend a sensitive ear to projects which have been endorsed by any considerable body of people. The moment calls for full and free discussion, for in no other way can wise conclusions be reached. The obligation of the present, then, is to formulate and to promulgate the plans for a new departure in international

procedure. We may mold history tomorrow if we can mold opinion today.

Of the various efforts designed to organize public opinion for the support of a new world order, the Central Organization for a Durable Peace stands out prominently. This was formed by the International Confidential Meeting at The Hague last April, when thirty international jurists, statesmen, economists and publicists from Germany, Belgium, England, Austria-Hungary, Italy, Holland, Norway, Sweden, Denmark, Switzerland and the United States came together to discuss the basis of a durable peace. The deliberations of this meeting, which, it should be pointed out, in no way concerned the present war, were summed up in the Minimum-Program, which is offered to the world "as a foundation for common action."

The nine points of this program were drawn up with the view of meeting the practical situation after the war. The establishment of a durable peace involves two steps. It is natural that the people who have carried the heavy burden of the war will reserve to themselves the regulation of the settlement of immediate questions, especially those which touch the political, financial, and territorial situation. We may expect, therefore, that in the congress which will assemble to draw up the terms of peace, there will be a limited number of states, and that consequently the settlement will be made by the same group of men who failed to prevent this most disastrous of wars. In order that this settlement may not result in a mere armistice, having in it the seeds of future war, it must adhere to certain principles.

The Minimum-Program points out two safeguards, and here it must be emphasized that this is in reality a minimum-program, stipulating only those principles, without adherence to which a durable peace is impossible. The program points first to the principle of nationality. It recognizes that the political frontiers in Europe, coinciding only rarely with the limits of nationalities, are a constant cause of war. The Central Organization for a Durable Peace does not attempt to regulate these conditions, which are the result of an historical evolution, but it insists that whatever may be the issue of the war, the number of such cases may not be augmented by the next treaty of peace. It states definitely that in the annexation or transfer of territory the interests and wishes of

the population concerned should be the only point considered, and wherever possible consent should be obtained, by plebiscite or otherwise. The second safeguard is the insistence that states shall introduce in their colonies protectorates and spheres of influence, liberty of commerce, or at least equal treatment for all nations. In this domain, we find a fruitful source of conflict, and it is incumbent upon any congress which bases its settlement on the principles of a durable peace to deal with this branch of economic rivalry because of its potency in creating dangerous oppositions and thereby provoking wars.

So far, then, the Minimum-Program concerns the Peace-settlement Congress, and it is not amiss to mention again that it is merely laying down principles which it considers most fundamental. It might with great propriety urge the study of other problems which will face the congress when it begins to fix the conditions of peace. The meaning and obligation of guarantees of neutrality, the rights and duties of invading armies and civilian populations in occupied territory, the usage of prisoners of war, reprisals, war-zones, the arming of merchantmen, the regulation of submarine warfare, the law of blockade and contraband—all these matters, and many others also, will come up for consideration. One need only mention the problem of fixing war indemnities to be reminded of the task which will confront this congress.

The Central Organization for a Durable Peace bases its program on the calling of two assemblies—a comparatively small body to draw up the terms of peace as described above, and a large body representative of all civilized states to deal with the reestablishment and strengthening of international law, this to be called through the machinery of the Hague Conference. It is evident that the matters mentioned above concern the whole body of civilized states, since there can be no permanent settlement of some of the questions which concern the belligerents until many world questions of international law are satisfactorily dealt with. In this connection, the problem of armaments and the freedom of the sea are especially urged for present consideration.

It is necessary to organize peace if it is to be durable. The program proposes, in addition to the Hague Court of Arbitration, a Court of Justice, a Council of Investigation and Conciliation, and the permanent organization of the Hague Conference. Thus

no entirely new institution is included in the plan. The Hague Court of Arbitration presents a successful record since its organization in 1902. The Second Hague Conference voted by a large majority the project of an International Court of Justice, although, as is well known, it failed to realize on account of the difficulties incident to the problem of its composition. The idea of a Council of Investigation and Conciliation for dealing with non-justiciable questions, those indeed which are most likely to lead to war, has developed from the Commission of Inquiry established by the First Hague Conference. Finally, to look forward to the development of the Hague Conference into an international assembly, meeting periodically to formulate and codify rules of international law, coincides with the spirit of the Second Hague Conference in providing for the calling of the Third.

Besides urging the consideration of those principles of durable peace which should govern the Peace-settlement Congress, and the plan for international organization, the Central Organization for a Durable Peace states that the stability of peace will never be maintained by measures of international order alone. In speaking of the limitations of international law, Mr. Root said: "Law cannot control national policy, and it is through the working of long continued and persistent national policies that the present war has come. Against such policies all attempts at conciliation and good understanding and good-will among the nations of Europe have been powerless." The Program mentions two measures in this domain which are especially indispensable: (1) the guarantee to the national minorities of civil equality, religious liberty and the free use of their native languages; (2) the parliamentary control of foreign politics with interdiction of all secret treaties.

The most striking part of the Minimum-Program, and that which offers a great departure from present international procedure, is the provision for an international treaty, binding states to refer their disputes to a judicial tribunal or to the Council of Investigation and Conciliation, and further to use concerted diplomatic, economic and military pressure against any state that breaks the treaty. According to this plan, we find developed a world League of Peace, which, if supported by a strong public opinion, can come into existence through the action of the world congress to be called after the war. It is not the intention to defer the organization of

this League of Peace until all states are willing to sign the treaty. When a number of states of sufficient importance to make the League effective become signatories, it should be declared organized. But it is the intention that the League should always remain open; that it ought above all to avoid the character of a political alliance; and that it ought to be, and ought always to remain, a League of Peace. This plan, and that of the League to Enforce Peace, are so similar that the two organizations might well join forces in giving to the world a stable basis for a durable peace.

The aim of the Central Organization for a Durable Peace is to form national groups in all countries who will make a technical study of the proposals laid down in the Minimum-Program.<sup>1</sup> Nine research committees have been organized, representing the nine points of the Minimum-Program. Some thirty-five research studies, including nine prepared by members of the American committee, have been sent to the various chairmen. These studies are to be made the basis of technical study and discussion. In estimating the importance of this work, one has only to mention the names of those who are taking part in it. Among those who have prepared research studies are Dr. W. H. de Beaufort, Ex-Minister of Foreign Affairs, and Ex-Prime Minister Heemskerk of Holland, Ex-Minister Adelswärd of Sweden, Professor Lammasch of Austria, Mr. G. Lowes Dickinson of England, Professor Altamira of Spain, Professor Koht and Mr. Lange of Norway, Professor Michels of Italy, Professor Stauning of Denmark, Professor André Mercier of Switzerland, General De Meester of Holland and Professor Schücking of Germany, not to mention our own distinguished group.

Through these study groups, which now represent twenty-six nations, this organization is building up a united support of the underlying principles of equitable law, and is thereby destined to become a world factor in influencing the great settlement. The effort demands the support of the world. The people of one nation

<sup>1</sup> Following are the members of the International Executive Committee of the Central Organization for a Durable Peace: Dr. H. C. Dresselhuys, President, Holland; Th. Baron Adelswärd, Sweden; Prof. R. Altamira, Spain; Mrs. Fannie Fern Andrews, United States; G. Lowes Dickinson, Great Britain; Mgr. Dr. A. Giesswein, Hungary; Prof. Dr. H. Koht, Norway; Prof. Dr. H. Lammasch, Austria; Prof. Dr. Achille Loria, Italy; Paul Otlet, Belgium; J. Scherrer-Füllmann, Switzerland; Prof. Dr. Walther Schücking, Germany; Th. Stauning, Denmark; Jhr. Dr. B. de Jong van Beek en Donk, General Secretary, The Hague.

alone, or of a group of nations, cannot effect a new world order; it is a task for the civilized world. The work of the Central Organization for a Durable Peace may be described as a simultaneous world study to prepare for action at the supreme moment of the world's history which we shall witness after the war. This moment will call for high statesmanship—a statesmanship freed from bias, resting its action on legal principles, and motivated by the desire to establish the eternal laws of justice and humanity.